

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-03022-CJN**

CITIZENS FOR RESPONSIBILITY AND ETHICS IN  
WASHINGTON v. U.S. DEPARTMENT OF COMMERCE  
Assigned to: Judge Carl J. Nichols  
Cause: 05:552 Freedom of Information Act

Date Filed: 12/20/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**CITIZENS FOR RESPONSIBILITY  
AND ETHICS IN WASHINGTON**

represented by **Nikhel Sus**  
CITIZENS FOR RESPONSIBILITY  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. DEPARTMENT OF  
COMMERCE**

represented by **Marina Utgoff Braswell**  
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DISTRICT OF COLUMBIA  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
12/20/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF COMMERCE ( Filing fee \$ 400 receipt number 0090-5851553) filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Department of Commerce, # <u>3</u> Summons Attorney General, # <u>4</u> Summons U.S. Attorney)(Sus, Nikhel) (Entered: 12/20/2018)
12/20/2018	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Sus, Nikhel) (Entered: 12/20/2018)
12/21/2018		Case Assigned to Judge James E. Boasberg. (zsb) (Entered: 12/21/2018)
12/21/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF COMMERCE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 12/21/2018)
01/31/2019	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF COMMERCE served on 1/29/2019, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 1/28/19., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/7/2019. ( Answer due for ALL FEDERAL DEFENDANTS by 2/6/2019.) (Sus, Nikhel)

		(Entered: 01/31/2019)
02/06/2019	<u>5</u>	NOTICE of Appearance by Marina Utgoff Braswell on behalf of U.S. DEPARTMENT OF COMMERCE (Braswell, Marina) (Entered: 02/06/2019)
02/06/2019	<u>6</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. DEPARTMENT OF COMMERCE (Braswell, Marina) (Entered: 02/06/2019)
02/06/2019		MINUTE ORDER: The Court ORDERS that Defendant's Unopposed <u>6</u> Motion for Extension of Time to File is GRANTED and that it shall file its Answer or other response to the Complaint by February 27, 2019. So ORDERED by Judge James E. Boasberg on 2/6/2019. (lcjeb3) (Entered: 02/06/2019)
02/06/2019		Set/Reset Deadlines: Answer due by 2/27/2019 (lsj) (Entered: 02/06/2019)
02/27/2019	<u>7</u>	ANSWER to Complaint by U.S. DEPARTMENT OF COMMERCE.(Braswell, Marina) (Entered: 02/27/2019)
02/28/2019		MINUTE ORDER: The Court ORDERS that the parties shall confer and submit a joint proposed briefing schedule by March 14, 2019. So ORDERED by Judge James E. Boasberg on 2/28/2019. (lcjeb3) (Entered: 02/28/2019)
02/28/2019		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 3/14/2019. (znbn) (Entered: 02/28/2019)
03/14/2019	<u>8</u>	Joint STATUS REPORT by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Sus, Nikhel) (Entered: 03/14/2019)
03/14/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>8</u> Joint Status Report and ORDERS that they shall file another Joint Status Report on or before April 10, 2019. Signed by Judge James E. Boasberg on 3/14/2019. (lcjeb3) (Entered: 03/14/2019)
03/14/2019		Set/Reset Deadlines: Joint Status Report due by 4/10/2019. (znbn) (Entered: 03/15/2019)
04/10/2019	<u>9</u>	Joint STATUS REPORT by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Sus, Nikhel) (Entered: 04/10/2019)
04/11/2019		STAYED PURSUANT TO THE MINUTE ORDER FILED ON 5/20/19.....MINUTE ORDER: The Court ADOPTS the parties' <u>9</u> Joint Status Report and ORDERS that the following schedule shall govern future proceedings: 1) Defendant shall file its motion for summary judgment by May 23, 2019; 2) Plaintiff shall file its opposition and cross-motion for summary judgment by June 27, 2019; 3) Defendant shall file its reply and opposition to the cross-motion by August 1, 2019; and 4) Plaintiff shall file its reply in support of its cross-motion by August 22, 2019. So ORDERED by Judge James E. Boasberg on 4/11/2019. (lcjeb3) Modified on 5/22/2019 (znbn). (Entered: 04/11/2019)
04/11/2019		Set/Reset Deadlines: Summary Judgment motions due by 5/23/2019. Response to Motion for Summary Judgment due by 6/27/2019. Cross Motions due by 6/27/2019. Reply to Motion for Summary Judgment due by 8/1/2019. Response to Cross Motions due by 8/1/2019. Reply to Cross Motions due by 8/22/2019. (znbn) (Entered: 04/12/2019)
05/20/2019	<u>10</u>	Unopposed MOTION to Stay re Order,, by U.S. DEPARTMENT OF COMMERCE (Braswell, Marina) (Entered: 05/20/2019)
05/20/2019		MINUTE ORDER: The Court ORDERS that: 1) Defendant's Unopposed <u>10</u> Motion to Stay Briefing Schedule is GRANTED; 2) the Briefing schedule entered on April 11, 2019, is STAYED; and 3) the parties shall file a joint status report on or before June 17, 2019. So ORDERED by Judge James E. Boasberg on 5/20/2019. (lcjeb3) (Entered: 05/20/2019)
05/20/2019		Set/Reset Deadlines: Joint Status Report due by 6/17/2019 (lsj) (Entered: 05/20/2019)
06/17/2019	<u>11</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF COMMERCE. (Braswell, Marina) (Entered: 06/17/2019)

06/18/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>11</u> Joint Status Report and ORDERS that the following schedule shall govern subsequent proceedings: 1) Defendant shall file its Motion for Summary Judgment on or before July 25, 2019; 2) Plaintiff shall file its Opposition and Cross-Motion for Summary Judgment on or before August 28, 2019; 3) Defendant shall file its Reply in support of its Motion and its Opposition to Plaintiff's Cross-Motion on or before September 27, 2019; and 4) Plaintiff shall file its Reply in support of its Cross-Motion on or before October 18, 2019. So ORDERED by Judge James E. Boasberg on 6/18/2019. (lcjeb3) (Entered: 06/18/2019)
06/18/2019		Set/Reset Deadlines: Summary Judgment motions due by 7/25/2019. Response to Motion for Summary Judgment due by 8/28/2019. Cross Motions due by 8/28/2019. Reply to Motion for Summary Judgment due by 9/27/2019. Response to Cross Motions due by 9/27/2019. Reply to Cross Motions due by 10/18/2019. (znbn) (Entered: 06/19/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge James E. Boasberg is no longer assigned to the case. (rj) (Entered: 06/24/2019)
07/25/2019	<u>12</u>	Unopposed MOTION to Amend/Correct Order,, by U.S. DEPARTMENT OF COMMERCE (Braswell, Marina) (Entered: 07/25/2019)
07/26/2019	<u>13</u>	Unopposed MOTION to Amend/Correct Order,, <i>Further</i> by U.S. DEPARTMENT OF COMMERCE (Braswell, Marina) (Entered: 07/26/2019)
07/31/2019		MINUTE ORDER. Upon consideration of Defendant's <u>13</u> Unopposed Motion to Further Amend Briefing Schedule, it is hereby ORDERED that the deadlines (1) for Defendant's Summary Judgment Motion is extended to July 31, 2019; (2) for Plaintiff's Opposition and Cross-Motion is extended to September 4, 2019; (3) for Defendant's Opposition and Reply is extended to October 3, 2019; and (4) for Plaintiff's Reply is extended to October 24, 2019. Signed by Judge Carl J. Nichols on July 31, 2019. (lccjn1) (Entered: 07/31/2019)
07/31/2019	<u>14</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF COMMERCE (Attachments: # <u>1</u> Lieberman Declaration, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8)(Braswell, Marina) (Entered: 07/31/2019)
08/01/2019		Set/Reset Deadlines: Defendant's Summary Judgment Motion due by 7/31/2019. Plaintiff Opposition And Cross-Motion due by 9/4/2019. Defendant Opposition And Reply due by 10/03/2019. Plaintiff Reply due by 10/24/2019. (mac) (Entered: 08/01/2019)
09/04/2019	<u>15</u>	Cross MOTION for Summary Judgment by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Statement of Facts, # <u>5</u> Text of Proposed Order)(Sus, Nikhel) (Entered: 09/04/2019)
09/04/2019	<u>16</u>	Memorandum in opposition to re <u>14</u> MOTION for Summary Judgment filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Sus, Nikhel) (Entered: 09/04/2019)
10/03/2019	<u>17</u>	Memorandum in opposition to re <u>15</u> Cross MOTION for Summary Judgment filed by U.S. DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Supplemental Lieberman Declaration, # <u>3</u> Branstad declaration)(Braswell, Marina) (Entered: 10/03/2019)
10/03/2019	<u>18</u>	REPLY to opposition to motion re <u>14</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Supplemental Lieberman declaration, # <u>3</u> Branstad Declaration)(Braswell, Marina) (Entered: 10/03/2019)